

Court of Appeals, State of Michigan

ORDER

Duaine Benard v City of Detroit

Docket No. 259523

LC No. 03-322397-NO

William C. Whitbeck, CJ
Presiding Judge

Brian K. Zahra

Pat M. Donofrio
Judges

The Court orders that the June 13, 2006 opinion is hereby AMENDED. The opinion contained a clerical error in the third sentence on page 4 which is corrected as follows: "We ~~cannot~~ conclude that the DWSD's primary intent is to provide a necessary and indispensable service, not make profits."

In all other respects, the June 13, 2006 opinion remains unchanged.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 29 2006

Date

Sandra Schultz Mengel
Chief Clerk